

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Piero DEL SOLDATO

Art Unit: 1626 (Expected)

Application No.: Div. of 10/151,955

Examiner: E. Sackey (Expected)

Filed: December 17, 2003

Attorney Dkt. No.: 026220-00043

For: NITRIC ESTERS AND NITRATE SALTS OF SPECIFIC DRUGS

INFORMATION DISCLOSURE STATEMENT

Director of the U.S. PTO
P.O. Box 1450
Alexandria, VA 22313-1450

December 17, 2003

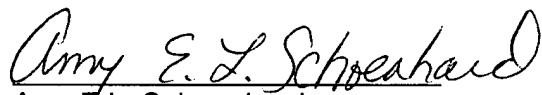
Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date, OR (b) before the mailing date of a first Office Action on the merits in the present application, OR (c) accompanies a Request for Continued Examination. No certification or fee is required.
- 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
 - a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
 - b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

- c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$180.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.
- a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).
- b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).
- 4. The references were cited by or submitted to the Office in parent application No. 10/151,955, filed May 22, 2002, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these references are not attached. 37 CFR § 1.98(d).

Respectfully submitted,


Amy E.L. Schoenhard
Registration No. 46,512

Customer No. 004372
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC
1050 Connecticut Avenue, N.W.,
Suite 400
Washington, D.C. 20036-5339
Tel: (202) 857-6000
Fax: (202) 638-4810

ALS:ksm

FORM PTO-1449		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 026220-00043	SERIAL NO. Div. of 10/151,955
LIST OF REFERENCES CITED BY APPLICANT <i>(Use several sheets if necessary)</i>		APPLICANT Piero DEL SOLDATO			
		FILING DATE December 17, 2003		GROUP 1626	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
A1	2003/0105066 A1	06/2003	SOLDATO et al.	514	152	
A2						
A3						
A4						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION YES NO PART.
	A5	WO 95/30641	Nov. 16, 1995	WIPO			X
	A6	2,240,271 A	July 31, 1991	GB			X
	A7						
	A8						

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

A9	Goldsmith et al.; Textbook of Therapeutics - Drugs and Disease Management; 6th Ed., (1996) p. 685, "Chronic Obstructive Pulmonary Disease"
A10	Del Soldato et al., Journal of Pharmacological Methods, 5 (1981) pp. 279-285; "The Anesthetized Guinea Pigs as a Versatile Pharmacological Test Object"
A11	

EXAMINER	DATE CONSIDERED
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.